

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARCIA PEARSON,

ORDER

Plaintiff,

16-CV-3139 (RRM)(PK)

- v -

SARAH REID-ROBINSON,

Defendant.

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Peggy Kuo, United States Magistrate Judge:

The above-numbered case is before this Court for all pre-trial matters, on referral from the Honorable Roslynn R. Mauskopf.

The case was originally filed in the Southern District of New York. Plaintiff, *pro se*, requested that the case be transferred to the Eastern District of New York, and that request was granted. (See Dkt. 15.) The Clerk of Court is respectfully requested to issue a summons against the defendant.

Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a defendant be served with the Summons and Complaint by the plaintiff within 90 days of the Complaint's filing. However, because of the unusual history of this case, which includes an appeal to the Second Circuit Court of Appeals and remand to the Southern District of New York, Plaintiff is granted an extension of time to serve Defendant. The deadline for Plaintiff to serve the Summons and Complaint is **February 28, 2017**. If Defendant has not been served by February 28, 2017, the Court may be required to recommend that this action be dismissed without prejudice.

Enclosed is a copy of the "Individual Practice Rules of Magistrate Judge Peggy Kuo." The parties are required to follow them, and should pay special attention to the rules regarding *pro se*

litigants. For additional information regarding court procedures, *pro se* parties may contact the Pro Se Office of this courthouse by telephone, at 718.613.2665. *Pro se* parties are also required to inform the Clerk of Court of the Eastern District of any change of address. If the Court is unable to contact Plaintiff, this case might be dismissed.

Plaintiff must provide a copy to Defendant of: (1) the Summons; (2) the Complaint; (3) the Amended Complaint; (4) the Second Amended Complaint; (5) this Order; and (6) the enclosed individual practice rules.

SO ORDERED:

Peggy Kuo

PEGGY KUO
United States Magistrate Judge

Dated: Brooklyn, New York
November 30, 2016